

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

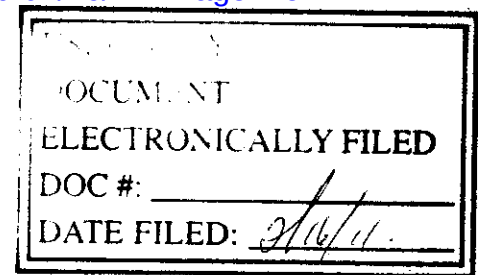
-----X  
JAMES FRANK HORVATH,

Plaintiff,

-against-

BANCO COMERCIAL PORTUGUES, S.A.  
and MILLENNIUM BCP BANK, N.A.

Defendants.  
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10 CIVIL 4697 (GBD)

**JUDGMENT**

Defendants having moved to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(6), and Fed. R. Civ. P. 9(b) and the matter having come before the Honorable George B. Daniels, United States District Judge, and the Court, on February 15, 2011, having rendered its Memorandum Decision and Order dismissing plaintiff's complaint in its entirety, it is,

**ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Decision and Order dated February 15, 2011, Plaintiff's complaint is dismissed in its entirety; accordingly, the case is closed.

**Dated:** New York, New York  
February 16, 2011

**RUBY J. KRAJICK**

\_\_\_\_\_  
Clerk of Court

BY: \_\_\_\_\_

\_\_\_\_\_  
Deputy Clerk

**THIS DOCUMENT WAS ENTERED  
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